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**Z-2242**  
**SPEEDWAY SUPERAMERICA, LLC**  
**SPEEDWAY 8534 PLANNED DEVELOPMENT**  
**GB TO PDNR**

**STAFF REPORT**  
**11 August 2005**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, represented by project manager Howard Smith and attorney Joe Bumbleburg, is requesting rezoning of lots 1-9 in Martin's Addition to West Lafayette to update an existing gas station with new building, pumps and canopy. The site in question is commonly known as 265 E. State Street in West Lafayette, Wabash 20(SW) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The site in this case is zoned GB. Both Flood Plain and GB zoning are located to the south between petitioner's site and the city limits. A mix of CBW and PD zoning abuts north, east and west of the site. Planned developments, primarily PDMX, dominate recent rezones in and around the Levee. Those nearest the site include: Wabash Landing (Z-1838, 3/99); River Market (Z-1856, 7/99); Osco Drug Store (Z-2013, 6/01, approved but never built); Salisbury Place (Z-2105, 1/03); State Street Towers (Z-2134, 8/03); and Capp & Gino's (Z-2160, 2/04).

**AREA LAND USE PATTERNS:**

The site in question is an existing Speedway gas station. Land use in the surrounding area is a mix of fast food & sit down restaurants; service businesses; shopping centers; hotel/motel and residential (primarily apartments). Land immediately south of the site is vacant. A City owned wastewater lift station and monitoring well are located on the lots immediately east of the gas station.

**TRAFFIC AND TRANSPORTATION:**

Petitioner's property fronts onto and gains all access by two drives onto State Street (SR 26 West), an urban primary arterial according to the *Thoroughfare Plan*. Traffic counts taken in October 2002 show an average daily count of 29,234 vehicles. Access and use of the two existing drives onto the site after renovation will not change.

A temporary agreement between the City and petitioner has permitted the city cross access for vehicles to make weekly visits to monitor the lift station immediately east of the gas station. No provision has been made on the new site plan to continue cross access, though petitioner and city staff discussed it during negotiation meetings.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

City sewer and water presently serve the site. Utilities are located underground across the front of the property. A letter from INDOT's Crawfordsville office, dated 9 May 2005, states, "... we at INDOT would greatly discourage the planting of any trees or shrubs over existing utilities along the right of way in front of the Speedway Station on SR26 in West Lafayette. Such plantings could cause problems with access to the utilities and could also create sight distance problems as the location is on a slight curve." Petitioner's landscape plan shows perimeter tree plantings,

evergreen screening along the south boundary and low shrubs rather than street trees in the area known to have underground utilities.

**STAFF COMMENTS:**

Meetings between the company's project manager and staff from WL and APC expressing the owner's interest to replace the existing building and upgrade the gas pumps and canopy have been ongoing over the past year. Issues including green space, outdoor sales, signage, cross access and setbacks were discussed. The front setback of 60' from State Street (SR 26), a primary arterial, posed the greatest challenge for this site. Given the option of multiple variances or PD zoning, it was WL staff's preference and ultimately the company's decision to redevelop the site by seeking PDNR zoning.

The proposed building is now shown 22' from the front property line; green space is calculated at 16% and includes shrubs planted between the lot line and sidewalk within the right-of-way along State Street. Outdoor sales of merchandise, a long standing concern of City staff due to sight obstructions, has been restricted in the area between the right-of-way and the leading edge of the canopy and north side of building. A generous sign package of 122.5 sq. ft. composed of 4 signs (2 canopy mounted logos; 1 building mounted reader board; and 1 monument sign) was accepted by the City Engineer's office after rejecting an initial proposal of 278.5 sq. ft. Continued cross access through the site to the City's lift station was requested by the Public Works Director but no permanent easement was offered by petitioner during the negotiation process. As a result, the city's letter accepting the sign package adds a condition of continued access to the lift station until INDOT grants the city permission to install a new drive to the site.

**STAFF RECOMMENDATION:**

Approval, contingent on meeting all requirements of *UZO 2-27-10* for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per *UZO Appendix B2-2*;
3. A final plat per *UZO Appendix B-3-2* as applicable;
4. Appropriate performance bonds submitted with final detailed plans
5. A "No Vehicular Access" statement platted along the State Street right-of-way except for approved drives;
6. Planting plan and schedule approved by the West Lafayette Greenspace Administrator;
7. Correction on sheet 8534-BS Base Plan to show the Restricted Sales Area to include the green space between the right-of-way and the north side of the new building;

Restrictive Covenants – The following items shall be part of the planned development's covenants made enforceable by the Area Plan Commission and irrevocable by the lot owners:

8. A restriction prohibiting sales of outdoor merchandise except where expressly allowed, also enforceable by the Administrative Officer.